

Recommendation of United States Magistrate Judge John M. Roper entered in this cause on October 26, 2007 should be, and the same hereby is, adopted as the finding of this Court.

IT IS FURTHER ORDERED AND ADJUDGED that Plaintiff's Motion to Render and/or Remand [10] is **DENIED**.

SO ORDERED AND ADJUDGED this the 30th day of November, 2007.

s/ *Louis Guirola, Jr.*
LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE